

STATE OF SOUTH CAROLINA**(Caption of Case)**

**Application of South Carolina Electric and Gas
Company for Approval to Conduct Forest
Management Activities on Property at the VC
Summer Nuclear Station**

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

COVER SHEET**DOCKET****NUMBER: 2007 - ____ - E ____**

(Please type or print)

Submitted by: Belton T. Zeigler**SC Bar Number:** 5754**Address:** Haynsworth Sinkler Boyd, P.A.**Telephone:** 803.540.7815P. O. Box 11889**Fax:** 803.540.7721Columbia, S.C. 29211**Other:** _____**Email:** beltonzeigler@hsblawfirm.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition** ☒ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:** _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigatio
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

COLUMBIA

CHARLESTON

FLORENCE

GREENVILLE

Haynsworth
Sinkler Boyd, P.A.

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October 15, 2007

VIA HAND DELIVERY

The Honorable Charles L. A. Terreni
Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

Re: Forest Management on VC Summer Site.

Dear Mr. Terreni:

South Carolina Electric & Gas Company ("SCE&G" or the "Company") is planning to conduct certain forest management activities on property it owns at the VC Summer Nuclear Station in Jenkinsville, South Carolina. Specifically, SCE&G is planning to harvest the timber on an area of approximately 186 acres located on the site. The area in question includes a portion of the location where SCE&G may build new nuclear capacity in the future if permitted to do so by this Commission and the Nuclear Regulatory Commission. As the Commission is aware, SCE&G has not made a final decision to build this new nuclear capacity. It has not filed an application with the Nuclear Regulatory Commission to do so. Nevertheless, SCE&G intends to harvest merchantable timber, and remove brush and debris on the site and will carefully follow the South Carolina Forestry Commission's Best Management Practices (BMP's) in conducting timber harvesting. In addition, the timber harvesting will be conducted in compliance with all applicable environmental requirements. The gain associated with the sale of timber will be recorded in FERC Account 456.0100, Other Electric Revenue.

BMP's established by the South Carolina Forestry Commission, including the setting aside of Streamside Management Zones (SMZ's), will be employed and buffers will be maintained along all streams. In addition to the buffers, silt fences and other erosion control measures will be installed as needed. No work other than timber harvesting, brush and debris removal, and the activities normally and customarily required to support them will be conducted in this area. In the event that SCE&G does not proceed with construction, all harvested areas will be replanted using BMP's in keeping with the Company's normal timber management programs.

In as much as SCE&G has made no final decision to build additional facilities at the site, and in as much as harvesting timber from Company-owned land is a standard practice

The Honorable Charles L. A. Terreni

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irrespective of future construction plans, SCE&G does not believe that the Utility Facility Siting and Environmental Protection Act, S.C. Code Ann. § 58-33-10 *et seq.* (the "Siting Act") requires Commission approval before conducting the contemplated tree harvesting. However, because SCE&G may file for a future application under the Siting Act encompassing part of the area where this timber harvesting is planned, and to resolve any doubt concerning the propriety of proceeding as envisioned, SCE&G respectfully requests that the Commission issue an order affirming that the tree harvesting in question does not constitute "commencing to construct" a major facility as defined in § 58-33-20(3) of the Siting Act.

Attached as Exhibit 1 to this letter is an affidavit of Richard R. Morton setting out the facts applicable to this request and attaching a map of the area to be harvested.

In addition to the timber harvesting on the 186 acre tract, SCE&G plans to harvest all timber and conduct clearing and grubbing on a twenty-five (25') foot right of way of approximately one-quarter mile in length as indicated in Mr. Morton's affidavit. SCE&G is planning to reroute into this right of way an existing underground electrical distribution line that connects the Parr Hydro facility to VC Summer Nuclear Station Unit I. SCE&G is mentioning this line to the Commission as a matter of information only. The line in question is a 23kV distribution line and so its relocation does not require approval under the definition of major utility facility contained in Section 58-33-20(2)(b) of the Siting Act.

By copy of this letter, we are also providing a copy of this notice to the South Carolina Office of Regulatory Staff.

Thank you for your consideration of this matter.

Respectfully Submitted,

s/Belton T. Zeigler

Belton T. Zeigler

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

I, the undersigned Richard R. Morton, being duly sworn, depose and state on oath as follows:

2. Attached is a map that accurately represents an area located at the site of SCE&G's VC Summer Station in Jenkinsville, South Carolina where SCE&G intends to harvest trees. SCE&G intends to remove all timber, brush and debris in the area shown on the attached map. The area is approximately 186 acres.

3. No work will be done other than the timber harvesting and brush and debris removal indicated above and the silviculture activities normally and customarily required to support these practices. Best Management Practices (BMP's) as established by the South Carolina Forestry Commission will be used in all timber harvesting activities. Buffers will be maintained along streams and drainage basins as required in the South Carolina Forestry Commissions BMP's manual. In addition to the buffers, silt fences and other erosion control measures will be installed if needed. If construction is not authorized, we will replant all harvested areas using best management practices.

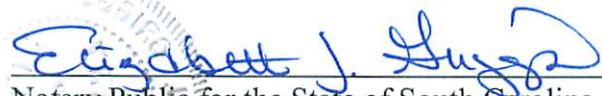
4. SCE&G plans to harvest all timber and conduct clearing and grubbing on a twenty-five (25') foot right of way of approximately one-quarter mile in length running along the western boundary of the area to be harvested. SCE&G is planning to reroute into this right of way an existing underground electrical distribution line that connects the Parr Hydro facility to VC Summer Nuclear Station Unit I. The line in question is a 23kV distribution line.

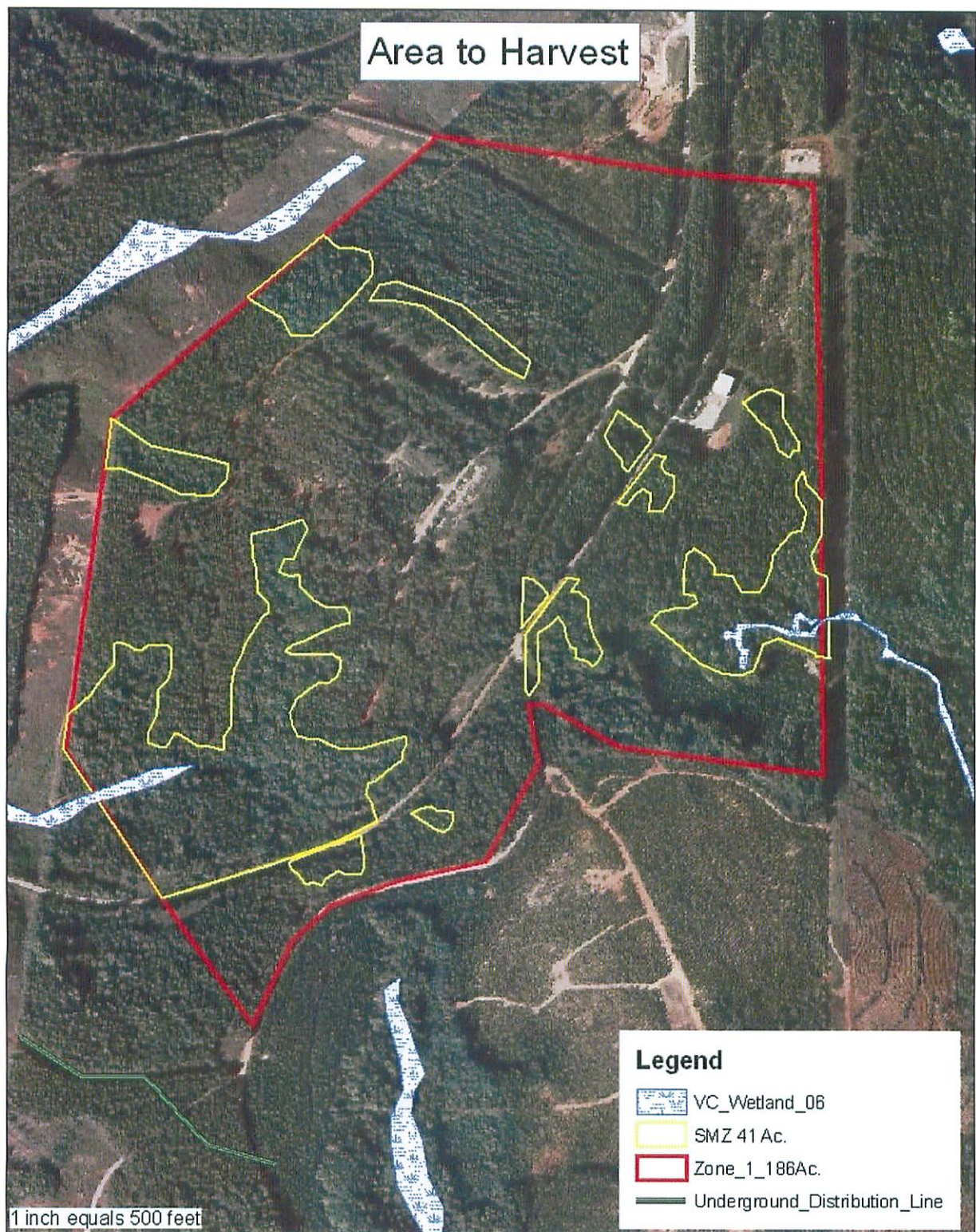
5. The tree harvesting and all related activities will be conducted in compliance with all applicable environmental requirements.

WITNESS my hand this 15th day of October, 2007 at Columbia, South Carolina.


Richard R. Morton

Sworn to and subscribed before me
this 15th day of October, 2007


Notary Public for the State of South Carolina
My commission expires 07/18/2011



BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

IN RE:

Application of South Carolina Electric)
& Gas Company for Approval to Conduct)
Forest Management Activities on)
Property at the VC Summer Nuclear Station)

CERTIFICATE OF SERVICE

This is to certify that I, Margaret A. McClintock, an employee of Haynsworth Sinkler Boyd, P.A. have, on this date, served one (1) copy of the **Application of South Carolina Electric and Gas Company for Approval to Conduct Forest Management Activities on Property at the VC Summer Nuclear Station** in the above referenced matter to the persons named below by causing said copy to be served via hand delivery and email, and addressed as shown below:

Shannon Bowyer Hudson, Esquire
South Carolina Office of Regulatory Staff
1441 Main Street, Suite 300
Columbia, SC 29201
shudson@regstaff.sc.gov

HAYNSWORTH SINKLER BOYD, P.A.

By: s/Margaret McClintock

Margaret A. McClintock
Paralegal

October 15, 2007